IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 16TH OCTOBER 2007 / 24TH ASWINA 1929

Crl.Rev.Pet.No. 3259 of 2004(B)

CRA.431/2003 of ADDL.SESSIONS COURT, N.PARAVUR
CC.584/2000 of JUDL.MAGISTRATE OF FIRST CLASS-II, ALUVA

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REVN. PETITIONER: APPELLANT/ACCUSED:

C.K.RAJAN,
CHAKKANATH UNTHICHANPARAMBU, PACHALAM, KOCHI-12.

BY ADV. SRI.K.S.MOHAMED HASHIM
SRI.V.M.SAJAN

RESPONDENTS: RESPONDENTS/COMPLAINANT & STATE:

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1. P.G.JOHN,
PARUTHIKUNNATH HOUSE, ELAMAKKARA P.O. KOCHI.

2. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY ADV. SRI.N.K.MOHANLAL
SRI. K.S. SIVAKUMAR, PUBLIC PROSECUTOR

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 16/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER ON CRL. M.A. NO. 14861/2004 IN CRL. R.P. NO. 3259/2004

DISMISSED

16.10.2007 SD/- V. RAMKUMAR, JUDGE.

/True Copy/

P.A to Judge.

V. RAMKUMAR, J.

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Crl.R.P. No. 3259 of 2004

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Dated this the 16th day of October, 2007

ORDER

The accused in C.C.No.584 of 2000 on the file of the Judicial First Class Magistrate-II, Aluva for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No. 10889 of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. The revision petitioner who is stated to be in prison shall be released from prison forthwith unless his continued detention is found necessary in connection with any other case, if any, against him.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,JUDGE

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